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Dayton History Project

FINAL

INTERVIEW

RELEASED IN FULL

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ROBERTS OWEN

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June 18, 1996

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Richard Holbrooke, Roberts Owen Interview
July 10, 1996

RICHARD C. HOLBROOKE (RH): ...you were at the Ft. Myers lunch when Leon Fuerth performed.

ROBERTS OWEN (RO): Yes, that's right.

RH: That was on the day of Kruzel's funeral.

RO: Yes.

RH: Thursday, August 24.

RO: Thursday.

RH: We buried Nelson in the morning and Joe in the afternoon, and we had that lunch and you couldn't understand a word Leon said.

RO: Exactly. And you leaned over and said, "It's all bull----. Don't worry about it."

RH: "No one else can understand him either," I think were my words. Okay, that was the 24th. You didn't go to the President's eulogy the day before?

RO: No.

A. RH: Okay, so when do you think Christopher called you? You were in town by Thursday. My meeting with Christopher couldn't have been any earlier than Tuesday. It's very fast movement, I think.

RO: Yes, I think he may have called me on Sunday.

RH: Yes.

RO: And said, "Is this something you'd be willing to do?" And then he would have to check with you, and he did. I said yes.

RH: Do you remember when he called you back?

RO: I've got notes of the conversation when he called me back; unfortunately, they're undated. I was still in Maine.

RH: They're undated?

RO: Yes. But it must have been Tuesday. And then I must have rushed back to Washington the next hour.

RH: I assume you guys are taking this all down. Let's say that Christopher called Owen on the 20th and asked him to join the team subject to my approval. Let's say he spoke to me on Tuesday, August 22. I said okay. Then Owen joined. There's an announcement. Now, you'll find a public announcement in your press materials. You're missing this, but I have another one. There is a public announcement of Bob as senior legal advisor among the materials Aric Schwan gave me.

CHRISTOPHER HOH (CH): Yes.

DEREK CHOLLET (DC): Is that on the on the 23rd?

RH: I don't know.

CH: The announcement, I think, was made after the memorial service with the President, which would have been the 23rd.

DC: He announces the whole team, right?

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RO: Yes. I can't remember, but there are press releases.

JAMES O'BRIEN (JO): There was a Principals' Meeting in there where *(inaudible)* his joint routine. *(inaudible)* group as a whole.

RH: Did you go to any meetings at the White House that week?

RO: No.

RH: But you were back by Thursday.

RO: I was back in time for the ceremony at 10:00 at Ft. Myer with everyone.

RH: You went to the lunch?

RO: I went to the lunch. I did not go to the ceremony.

RH: Okay, all right. So that fills in one very small little hole.

RO: Very important one. Very important.

RH: Well, I want to get all of this. My approach to writing on this -- based on previous experiences -- is you put everything on the first drafts. And then for publication, you pull stuff out. But for these guys, they keep it all. And I will give you my first draft for the archives, which will probably be 20 or 30 percent longer than the final version. For example, the accident on Igman: I just wrote it all. It was very difficult to do, but I just put everything in it from the beginning. Now I want to talk to Wes about it. I left out

one thing. I left out what Wes went through when he got down there. It was too awful.

Can you imagine it was less than ten months ago? Unbelievable.

CH: Well, that sounds like a good way to proceed. I think what I'm going to do is turn this over to Jim O'Brien to go through constitutional issues.

RH: I don't think we need very much for the constitution. Bob did that.

JO: There are some things I wanted to talk to you about.

RO: Yes. I think getting started is part of the statement.

CH: Particularly some of the principles, and then you're going to peel off to see Donilon?

RH: Yes. In twenty minutes.

CH: Depending on what's the story when you come back, we'll get another room set up and discuss the map.

RH: I can stay until about 12:10.

CH: Okay. And Kornblum is going to come down...

JO: Oh, is he?

CH: ...for some of the stuff at the end where you and he and the three foreign ministers were...

B. RH: You've got to get Wes Clark's daily reports to the JCS; they can't tell you they don't exist. It's just not true. It's bull s---. They're sitting there. And they're playing the classical game. But after all, I read every one of those reports and they are the only daily reports and they are indispensable. And if necessary, Chris Hill has to talk to Shali.

RO: Didn't Kerrick also have a daily?

RH: No. Kerrick had a...

RO: He kept a diary.

RH: No. Kerrick kept records. He sent occasional written, occasional phone...

RO: Oh, no. Pardew had a diary.

RH: Pardew kept a personal diary, but there's a difference with a personal diary which he may not want to share.

RO: Yes.

RH: I have a feeling he's written in it some of his frustrations. Which I think you will recall a little bit.

RH: But Wes Clark sent a daily Sitrep. Even if it was 4:00 in the morning, he sent it. And I always cleared.

JO: Okay.

RH: It's critical because it's the only 95 per cent accurate daily record of events. And when he got to Dayton he started it, and then I think he probably kind of had to....

C. JO: Okay. That's good. Now from Dayton we have two memos that you wrote Secretary Christopher. Do you recall?

RH: You do?

DC: Yes. Those are through the system.

RH: Jesus! Amazing! I don't even remember them.

RO: I remember your writing him; trying to get him out there.

JO: Right.

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RH: I do remember them. I sent him one in Japan. Oh, of course! I wrote him a scene-setter to Osaka. That was a good cable.

DC: Those are in the accordion folder in the files, marked "Important."

RH: Yes, that's important. I'm glad you've got that.

DC: Those are fantastic.

RH: I sent him a very strong, personal message describing what he was going to encounter coming back from Japan.

DC: - Yes, exactly.

RH: What was the second one?

DC: One was on November 14 and one was on the way from Japan, I think. Oh, I know! It was the one before he came in because, remember, on the way to Japan he stopped in. In which he said, "Look, when I come back, it's going to either be close down or we're going to close the deal". And you had said, "This is what you need to tell them. That you're going to return on Friday." I think it was for the weekend?

RH: Friday, to close down on Sunday.

DC: And then you sent him...

RH: And we never did it.

DC: Right. And then you sent him another one on the way...

RH: You have those?

DC: Yes.

RH: I'd love to see those.

DC: Okay.

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RH: You remember those, Bob?

RO: Vaguely, yes.

RH: Now Bob, another thing we've got to reconstruct is your.... You've got to go back -- unless you have this in your notes -- and reconstruct some of the key things -- not just the really obvious things like your phone call to Christopher on October 4

D. or 5 -- on the venue, which was so important. But, you've got to reconstruct the whole scene in Ankara in the middle of the night with Izetbegovic on the words "Republika Srpska," while we're also calling Washington telling them to resume the bombing.

RO: Jeez! You have the most fantastic memory.

RH: This is the day when you're playing heavy.

RO: Yes.

RH: You diverted and met us in Skopje.

RO: My plane took a nose dive in Skopje (*laughter*). God, it scared the hell out of me.

RH: That was a Labor Day to remember.

RO: Yes, it certainly was. It made a deep impression. I thought I was all washed up (*laughter*). And then, fortunately, you guys flew in right behind us.

RH: / Yes, well we've got this sequence.....

RO: What is the key scene in Ankara? I'm trying to remember.

RH: - We're sitting in Grossman's living room with your draft of principles and Izetbegovic does not want to accept the entity of the Republika Srpska.

RO: The name Republika Srpska? Yes, that comes back a bit. You have the most amazing memory. You really ought to write a sort of stream-of-consciousness of names and then let us straighten it out.

RH: No, it's not that easy. I really don't have that good a memory. I can't remember all sorts of details. Is it a C141 or a C130 that we came back on? I thought it was a 141.

RO: It's certainly an important issue *(laughter)*.

JO: Which way were you facing in the cabin?

RH: That I remember. That's easy.

JO: What? Did you hide the seating plan?

RH: The seating plan in the plane? Bob has immortalized it with cartoons. He's got Wes Clark laying face down on the cabin floor. Haven't you seen it? *(Reads November 14 memo to Christopher from Holbrooke.)* I remember the walks, but I don't remember what date it was. There's no record of it. See, you can put down right away... so I can't quite read what is... this is dated November 14, which may mean sent in the middle of the night.

E. DC: Is that the one where you were saying to Christopher, "I think you should come back. You need to ask the President that you come back on the way from Japan?" Because, I think we do have a Sec/Prez.in which Christopher requests that he return early to come back to Dayton.

RH: Let's see, look, *[reads]*: "...given the distance we will still have to travel to get to initialing on anything, we have to recast your trip." This is the first of the messages.

DC: Okay.

RH: "Initially conceived of as a possible closer trip..." That was the original plan. It's now coming back to me. Remember this, Bob? Christopher was going to come and sign and return to Japan. "Initially conceived as a possible closer trip, it now becomes a last-warning-to-get-serious stopover on your way to Japan. It's a clear message that when you return we must have either closure or close down. That, pure and simple, is the message of your trip. I'm convinced you can jump-start this conference by a combination of pressure, rhetoric, and your direct involvement during the day on some issues where you can break a log-jam. These will include the status of Sarajevo, some territorial trade-offs, and perhaps election-refugee issues." So, now we need to figure out...Christopher came there four times, if my memory is correct. He came to open.

DC: Right.

RH: He came to do Eastern Slavonia and announce the Federation agreement.

DC: Right.

RH: He came on his way to Tokyo. And he came at the end.

DC: Yes.

RO: Sounds right.

RH: I don't need this stuff yet, because I'm too far from writing it. But I hope by the time I am to writing it, which should be a month from now, you guys will have the twenty-one days figured out.

DC: Okay.

RO: Are you going to take time off to write?

RH: Yes. Starting at the end of next week. I'm going to take the rest of the summer off.

RO: Are you? Tough job you took!

RH: And then at night some other activities, some of my First Boston activities. Writing is tough. Going back into this stuff over the weekend is the toughest thing since the negotiations. It's very emotional. Writing is incredible; it takes a lot out of you.

JO: I can't go more than two or three pages, I think, after years of government....

RH: I'm not well organized either on this project. The only useful thing I have is the press clips. Do you have the press clips?

DC: We are in the process of compiling the actual articles. The best thing we have is, I think, what you have -- that historian's chronology, which is public, basically press statements.

RH: What do you want to do now, because I've got to go upstairs. Do you want to do the constitution with....

JO: Well, I thought I'd like to start with a couple of things with you and then we can go into the constitutional issues.

RH: Okay, let's cover a few things. Now, you can tape this?

DC: Yes. We're rolling.

RH: It's been rolling the whole time?

DC: Yes.

RH: Okay.

JO: I guess the things that interest me are the opportunities that you all saw to shape the governmental arrangements over the months leading up to Dayton. I think, by the time we got into the last two weeks before Dayton, a lot of the basic decisions were made.

We can talk about those. And maybe because of our limited time, I'll start with some questions that focus on September and then work back to August, and then you take off. Bob and I will work back through time. Here's a question I think is fascinating: In early September we had the Geneva Principles -- we might talk about their origins in a minute or two. But one of those was a restatement of the 1994 Contact Group principles, that you'll have one state, one government with two entities. But then in September the world sort of changed dramatically even from early August. At that point, suddenly the Serbs had lost the Krajina and Croatia. They were getting rolled back in the northwest and the southeast. In Sarajevo you had to arrange the cease-fire; UNPROFOR was no longer exposed; the RRF was now returning fire quickly. So the Serbs were essentially on the run. They had not really started putting up even the token resistance that they did later in northwest Bosnia. Did you think at that point that you might have a chance to alter our stance on what the governmental arrangement should be? Is he using the governmental arrangements as an opportunity to change the pace of the negotiations or what the outcome should be?

RO: Particularly about 51/49?

JO: Well, territorial arrangements. Also governmental ones. I mean you could propose a unitary state with a strong central government. You could propose that the Serbs live in a box.....

F. RH: But it was essentially when the bombing was having its height of success, that second week of September, and the Tomahawks had destroyed the command-and-control system at Banja Luka, and the Serbs were vulnerable and on the run, the United States

faced essentially two choices. One was to abandon the Contact Group map completely and encourage a Croat/ Muslim offensive that would just win the war. Or, do a maximum damage and abandon 51/49 and abandon the two-entities concepts of the Contact Group. The other was to use these things to finally get the Contact Group plan. We were very mindful of the fact that when we started the negotiation the land distribution was roughly 70/30 in favor of the Serbs and it was now moving rapidly towards 50/50. We made the decision to stick to the Contact Group plan.

JO: Who made the decision and when?

G. RH: This was probably the most important strategic decision that was made. Basically, it was made by the consensus of the principals in Washington. Not opposed by the negotiating team. Although there was a definite tension, which I would call creative tension, between the negotiating team and Washington over when to have a cease-fire. Almost everyone in Washington wanted us to stop the offensive early, and to get the cease-fire and to put the yellow or red light on the Croats moving east. We did not do that. We didn't agree with it; we wanted the Croats and the Bosnians to make as much military gain as possible. So, since we didn't have a clear-cut instruction -- just general feelings in Washington -- and Washington very nicely was leaving us to make the final decisions, we let the offensive roll.

JO: This was during the second week of September?

RH: Yes. It was after the bombing resumed. The bombing resumed.....

JO: Actually, who was giving you these general feelings?

RH: Oh, we would get them over the phone. People would say, you know there is concern here that you ought to tell these people to stop the offensive. But we didn't do that until they came within about 20 kilometers of Banja Luka. And then we had this very key meeting on September 19. And on the 18th, we met

H. with Milosevic. He begged us to stop the offensive before it reached Banja Luka. We did that, not because Milosevic begged us to, but because we felt that letting the Croats and the Muslims take Banja Luka would result in creating 200,000 more refugees, flattening the city, and in any negotiation Banja Luka would be returned to the Serbs. And, in fact, both Izetbegovic and Milosevic had talked about Banja Luka as the center of the anti-Pale Serb resistance. And given the enormous refugee flow in the region, we did not feel that it was appropriate either morally, ethically or politically to let them take Banja Luka. So we went to Zagreb on the 19th; had this raucous meeting with Izetbegovic and Tudjman and asked them to stop before they reach Banja Luka. Tudjman erupted in the meeting -- do you remember this? -- yelling at Izetbegovic, "We've got 80 per cent of the conquest."

RO: Um-huh.

RH: By this time, the Croats and the Muslims had begun fighting each other at Bosanski Petrovac -- which is an item you've got to get in here. Three people had been killed, and they were arguing over Jajce and Mrkonj Grad and all sorts of other towns. So we saw signs of growing tension in the west. Meanwhile, there was no military movement on the part of the Serbs in the east.

JO: Right.

- RH: The area around Gorazde and Pale, Sarajevo itself where the Remanja Corps was....Hey! *(Rosemarie Pauli and Phil Goldberg walk into room.)*
- JO: This is the part where I really want to interview you, if you want to finish up.
- RH: Rosemarie, stay here; I've got to talk to you; let me just finish this. Hi, Phil, come on in. At this point there was no weakening of the Serb lines in the east, only in the west.
- JO: Right. So, just to focus on the governmental....
- RH: So, let me just get back to the Contact Group plan. So the fundamental decision was, do we abandon the Contact Group plan or not? Warren Christopher was very strong that we hold to it. He had negotiated it himself.
- JO: He called in to say that?
- RH: I don't remember whether he called me, or Donilon called, or Strobe, or John Kornblum, but there never was any point at which the principals in Washington were prepared to consider abandoning the Contact Group plan, as The Wall Street Journal last week said we should have. Did you see their full page item on that?
- JO: I didn't today, it's certainly a...
- RH: Do you have it?
- JO: Yes, we have it.
- RH: It's a very interesting chronology, and their fundamental criticism of what we did is Banja Luka. That's the big point.
- RO: I did not see that.
- JO: You mention three reasons for not changing from the Contact Group plan, and I realize there may be others. But there is this strategic concern, that the Croats and Muslims

were beginning to fight amongst themselves and that the alliance was beginning to crumble. There's the humanitarian concern over refugees. And then you also mentioned the political concern that Banja Luka would be the center of anti-Karadzic Serb activity.

RH: Right.

JO: I have two questions about that last point.

RH: By the way, Jim, I would say right up front that -- going back over the last year of activities; the last ten months since this thing started -- that was the closest call.

JO: Yes.

RH: It was saving Banja Luka. We argued that on the plane for hours. Remember, Bob?

RO: Yes, but the point was, if there was another balance against Pale, this was it. We needed Banja Luka in the Serb Republic as the political balance.

RH: It was the most criticized decision. The New York Times' Roger Cohen criticized it; The Wall Street Journal criticized it. I think we would have done it again, but I will tell you this, with Karadzic still in power today, I wonder if we were right. Because, the fact that he survived when he was reeling, leads me to wonder whether we didn't make the same mistake that we've always been critical about regarding George Bush and Sadaam Hussein.

JO: Right.

RH: I mean, I think about this everyday.

JO: That's what I'm sort of getting at, the assumption that you needed Banja Luka as a political power center was that there would be a Serb power structure.

RH: Both Izetbegovic and Milosevic had told us.

JO: That they both wanted to have a Serb power structure?

RH: Absolutely. They both wanted Banja Luka; Izetbegovic wanted Banja Luka as a clear alternative to Pale and so did Milosevic.

JO: So there was no (*inaudible*) pressure at that point to essentially wipe out the idea of Republika Srpska, or to turn it into an almost non-entity or to strip it down to Pale?

I. RH: No, the distinction here between Republika Srpska and the Bosnian Serbs, and the reason Izetbegovic had that terrible late-night drama, particularly with Bob Owen in Ambassador Grossman's living room in Ankara on September 4 -- I guess by that time it was the 5th, because it was well after midnight -- and you and he were sitting there, and you were really locked in combat. It was not over the concept of the Serb entity but over the words "Republika Srpska," which meant ~~that~~ entity. That was what the whole argument was about.

JO: So even at that point...

RH: You remember that? You were in the living room...

ROSEMARIE PAULI: Are you still arguing about that?

RH: Yes. I think we may have made a mistake. I mean, I look back on it and I think maybe I was too...I wasn't aggressive enough. But, quite frankly, I still find it hard to believe that the U.S. military and IFOR has not taken more decisive action against Pale. If I had realized then how totally adverse IFOR is to doing its job, then I think we should have negotiated harder. The other key issue here is the cessation of the bombing. Why did we stop the bombing when we did?

JO: Right.

J. RH: I want to be very clear on this. We were told by the military -- and Wes Clark will confirm this -- we were told by Snuffy Smith that they only had two or three days left of targets. So we decided to negotiate to end the bombing -- because it was going to end anyway -- and get something for it. Bob will remember clearly -- and this has got to be in your unclassified reports -- I've already talked to the Maxwell AFB guys about this; they're doing an air power study. I don't know if you're aware of this but it's very good stuff. I've already made clear to them that had Snuffy said, "I've got two more weeks of targets," we would have delayed the negotiations for two weeks. We were...

RO: I hate to flatter you, but I thought one of the most brilliant decisions you ever made was sitting in the Principals' Meeting and saying, "Wait a minute, if there are only three days left for bombing, let's get back and get credit for stopping the bombing in return for some concessions."

JO: I think this has made it into widely unclassified sources already. It was a great decision, but...

RO: It was a brilliant move.

RH: Well, it may have been a brilliant move but it was a move that.... Do you have that paper?

DC: No, no. Do you...

RH: Copy down the guy whose name is Roberts Owen up there.

RO: They'd never suspect it....

RH: Call those guys up and tell them you want all their material.

DC: Okay.

RH: This is an Air Force study on the use of air power. And they wanted to fly me down to Maxwell and spend two days there, but I didn't do that, so I just came up to New York.

JO: This is the main thing I wanted to have you in the room to talk about. So there was never any discussion of revising the Contact Group plans in light of all the military changes? And you felt like Washington...

RH: Let me be very clear. This is a key question for you to ask Warren Christopher; but my very clear memory is that Chris, having negotiated the Contact Group plan, did not wish to reopen it. Okay. I'm going to go see Tom Donilon and you go on to the constitution and I'll come back as soon as this is over.

(Holbrooke exits; Phil Goldberg joins discussion.)

END SIDE A, TAPE 1

BEGIN SIDE B, TAPE 1

K. PHIL GOLDBERG (PG): ...alternative power base to the anti-Karadzic people. But wasn't it also a strategic consideration at that point that, if indeed, what had happened before that in the Krajina was 100,000 or 150,000 Serbs having left ...

RO: Right.

PG: And at that same time, we were two or three days away from a similar flow of refugees.

RO: Right.

PG: And not only were you going to lose the tactical consideration, which was an alternative power base, but we were threatened with losing all the Serbs of western Bosnia.

RO: Right.

PG: Which would have led to partition in everybody's mind because you would have had eastern Bosnia, or southeast Bosnia, that was all Serb, except for the enclave. You would have had the northwest dominated by the Croats not by the Muslims.

RO: Right.

PG: That would have been the partition argument.

JO: That's Phil Goldberg, for the record. Yes, that's right. Holbrooke talked about the strains in the alliance as well as the territorial....

PG: Yes, but that was more strategic. The other was very hard-headed and tactical; that was sort of a big picture.

JO: Right. Well, the reason that I raised it in the context that I did -- and maybe you can jump in at this point, Bob -- you know, lawyers are always criticized for excessive analysis, but there was a way to kind of split the difference here. One option would be to say we're just not going to have a Bosnian Serb entity but we'll have a very tiny Bosnian Serb entity located in eastern Bosnia. Strategically, that didn't make sense for the reason Phil's just described. There were other sets of options, that is, we might still have a Bosnian Serb entity of some kind, but we'd treat it as an extremely weak entity. And you remember we...

RO: You mean an entity confined to the southeast.

JO: Or wherever it ended up territorially, but it simply wouldn't be viable, it wouldn't be able to maintain itself, and we wouldn't accord it the political powers that would be given to the Federation or to the central government. There are a range of options, and I don't know if you remember the meeting we had with Mo Sacirbey in Bob Frasure's

office -- what was Bob Frasure's office -- in early September. He [Sacirbey] was describing some alternatives. He used phrases like "a holding company," that you would have a Srpska that wouldn't be allowed to have any relations with the outside world.

RO: Yes. Of course, he talked about that a number of times, so I'm not sure I was at that meeting.

JO: You were, I will testify. I'm curious, in the context of all these military changes that were going on, was there any consideration of ways in which, first off, he might try to weaken the Republika Srpska as an entity; and, secondly, if so, would it be considered as a negotiating tactic, that he'd go the Serbs and say, "Look, everything is running against you and plus your bargaining position is getting worse because every day we're taking another stick out of what Srpska counts as..."

L. RO: Yes. My impression was that on the loftier level, Christopher, Tarnoff, Holbrooke, and the people in between, were really committed to the Contact Group plan and we didn't want to stray very far from it.

JO: Right.

RO: I think there was some fleeting thought that you might reduce the Serb entity to something much smaller than 51/49.

JO: Right.

RO: But that this would ultimately cause more problems than it would solve, and therefore we didn't want go too far in that direction. This was beyond my province, but I sat there with great interest listening to these arguments.

JO: Well, that's why I wonder, in the case it is your province. I know when I worked as a lawyer on those things, sometimes I'd think, what's consistent with the Contact Group plan? There really was nothing in the Contact Group plan that said Srpska would be equal to the Federation or that it would be...

RO: No. Forty-nine, or it could be less.

JO: Even if it was 49 percent, there wasn't anything about what powers would flow to the Republika Srpska.

RO: And we went on to a two-thirds/one-third political power distribution.

JO: Right, and I'm curious about the origin of that in light of how things were running against the Serbs. Did we think about toughening the position and trying to weaken them, or did we think that was not sustainable. Did you see your role as offering those options up to Holbrooke so you might do them? Or was it just too hectic?

RO: I don't think I did see that as my role. Holbrooke was thinking of all the options all the time. But I think that the commitment to do something like the Contact Group plan was still on the minds of people above, and that we shouldn't have too radical of a departure from that. Now why, I'm not sure.

JO: Do you remember discussions of some of....?

RO: Well, I remember being in some discussions with Christopher, but my trouble is they're all blurred now, and I can't remember who said what to whom on those occasions. But Christopher would remember; he's got a darn good memory the way Holbrooke does and I think he would describe to you the factors that prompted him and his group to think that sticking close to the Contact Group plan was the right way to go.

JO: But you remember actually being in a room somewhere so there should be a diary or something that knows where somebody is.

RO: Yes, I remember a discussion of it.

JO: Okay . A larger point I was trying to make with those sets of questions was to get a sense of what the opportunities were in places where we might change or places where we felt constrained by our own statements beforehand. Why don't we go back in time and walk our way back up from August and September. By the time you came in August, Tony Lake had already gone out.

RO: Yes.

JO: He had already told everyone we wanted to try to get a settlement based roughly on the Contact Group plan.

RO: Yes. I never saw that document but I've heard about it. I think I was supposed to see it, and I never did. The fax machine in Maine didn't work or something. Matter of fact, Christopher mentioned it to me and said, "We will send it to you," and it never got sent.

JO: *It's the bottom point there; it's the first of his points on what the settlement might be (reads).* If you turn to the top of the next page -- this the closest I've ever come to doing a deposition so it's nice to be able to start with somebody like Bob who can steer me the right way.

RO: You need more leading questions.

M. JO: There's a reference there to the possibility of accepting secession, for the Serbs. I'm curious if that ever showed up in your conversations once you came on the team later in August .

RO: No, I don't see where it appears.

JO: Let me take a look here .

RO: Maybe I'm not reading it carefully enough.

JO: Ah, here it is. Sorry, wrong page.

RO: The whole tenor of the discussions that I recall was that secession was not an option that we should consider, and we should carefully try to prevent secession in any form. And there were various times during the negotiations when people talked about a device which would say that Srpska shall exist as an independent entity -- well, not independent of Bosnia as a whole, but independent of the Federation -- but it will be permitted to have these special relationships with Serbia, and over a decent interval like five years, maybe secession should be permissible; allow that...

JO: When you say people talked about that, do you mean the Serbs raised it?

RO: No. It was talked about within the group, within the shuttle team.

JO: This is before the Geneva Principles, do you know?

RO: I can't remember. But I think we all felt that was a bad idea. We were still plugging for a unified Bosnia for the indefinite future and the thing to do was not to set up highways which would allow either the Croats or the Serbs to slide off toward the Mother Country. And we fought pretty hard on that principle and we helped the Muslims stick in language on that principle. I remember in the Agreed Principles right up front, we had a terrible fight with Sacirbey about this, but the agreed basic principle was September 8, 2.3 [two point three]: "Both entities will have the right to establish parallel special relationships with neighboring countries." And then Sacirbey quite

rightly insisted -- and I think it was a fair point for him to make -- on adding the language, "consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina," which he interpreted as meaning no secession. That was a perfectly valid point for him to make. So, I think secession -- although Tony Lake sees it as a possibility up there -- we were trying to screen it out and prevent it from coming up.

N. JO: Let's talk about the Geneva Principles. Where did they come from? I mean, who said, we ought to have some principles? When you left the ground in D.C., did you know you were going to have some principles?

RO: I will be immodest and say that I think I suggested it. Now, I think Holbrooke had the concept that we had to start getting a piece of paper ready for the parties to adhere to. And I urged that it be a very simple thing with small building blocks which people could readily accept, or more readily than they could if it got to be a complicated legal document. When I drafted this, Holbrooke looked at it and said, "Ye Gods! This is a little primitive. This doesn't have modifying clauses; it doesn't have some other things." Then he thought about it and said, "Well, maybe that's the way to go. Just make it terribly simple. It gives them the minimum targets to shoot at, and we get them to agree only to sort of basic principles and all of the bells and whistles will have to be developed later" -- although Dayton was not then contemplated -- "at some later session."

So, it got built up as a very simple set of building blocks that all these people could accept. That was all. It was not a brilliant thought, I don't think, but it worked.

JO: Where did it come from as an idea? I mean, you just thought they needed a piece of paper?

RO: Yes. Holbrooke said go ahead and prepare something, so I sat down and started writing it out in long hand on the airplane.

JO: One thing that I noticed, everybody from the team was walking around carrying little books about Camp David and other kinds of things. I just wondered the extent to which you would be looking back at models of similarly complicated negotiations for this.

RO: No, right off the top of my head. Starting with the basic proposition that Bosnia will continue its legal existence in the present borders. We'll have one country. Next step, it will consist of two entities starting at the very basic and then moving out to get a little more sophisticated. And we didn't get nearly what we intended on the first round in Geneva. We had maybe a whole other page of things that got shot down.

JO: Do you guys have a copy of that?

DC: I don't know, we'll have to check. We have a lot of documents pertaining to the formation of these principles that were just thrown in the Pardew notebooks, and we have no idea what they are.

RO: I've got probably vats of stuff, but it's disorganized. Just stacks of paper when I get back from a trip. I haven't had any time...

DC: That's actually the type of stuff that we can try to figure out in these interviews.

RO: If I had the time, I'd be perfectly happy to go back and see. This is going to become particularly interesting in the second...what do we call it?

O. JO: The New York Principles.

RO: The New York Principles. When we had a version -- when I talked with some of you yesterday -- we had a version which we took to Belgrade, and made some modifications, and then the Muslims shot it down and we had to go back to Sarajevo and do a whole new approach.

DC: I don't know if that's what you are talking about (*hands him document*).

RO: (*Reads*) "Draft presented to Serb President Milosevic September 1."

DC: And then, if I recall....

RO: And he kept trying to simplify. You're right; this is one that went longer and he kept pushing for changes.

DC: And then attached...and this is the return then, see, that's September 5.

RO: Yes. Okay. And that's just about pretty close to the final.

JO: So what was the sequence then? Who did you present it to first?

RO: Oh, boy! I've been waiting for Rosemarie to do up a schedule of these trips. And I have no idea in what order we...Do you have it on the chron?

DC: Well, as best as I've been able to do it. I don't have the Air Force logs we hope we're going to get, but...

RO: It may well have been Milosevic the first go-round, but it could have been Izetbegovic.

JO: Do you remember any calculations? Was it important to get the Bosnian Serbs...?

RO: I don't, although I would have thought the natural order of events was to get Izetbegovic to agree before Milosevic.

JO: The theme of things in early August was that anything we proposed had to be agreed by the Bosniaks and that was in part driven by domestic political concerns.

RO: That's right.

JO: Because we don't want to get our legs cut out from under us in Congress right when we're proposing something somewhere else.

RO: Exactly.

JO: So, we know it went to Milosevic on September 1 and...

DC: On the 31st ...

RO: I'm quite surprised that I had this drafted by September 1.

JO: It was very early.

RO: I hadn't been on board very long. But I think practically the first thing that Holbrooke said was, "Let's get something on paper," and I presented something that he thought...

Q. DC: I think that according to probably Pardew's report to Perry, this was agreed to during a twelve-hour meeting in the hunting lodge, which was one of the first times you really had Milosevic opening up. The way he had described it was "a day of bonding with the Godfather," where in a span of twelve hours he was both drunk and sober and, over cigars and wine, you got him to agree to this.

RO: All of that I remember with great clarity, yes. That's right. It was a getting-to-know-each-other session. He did get a little potted and then he would sober up a little and we sort of wobbled through this whole thing.

JO: What was the difficult part from his standpoint? I mean, at that point, he had just been named head of delegation, right? The Patriarch Agreement.

RO: Yes. When was the Patriarch Agreement? The 29th?

DC: It was the 30th.

JO: So he's now head of delegation.

RO: Did we have two consecutive days of meetings with him?

DC: No. You were the 30th in Belgrade, then on the 31st you went to Zagreb where you met with Tudjman and Sacirbey; and then you returned to Belgrade, met with him briefly that night on the 31st, and then September 1 was the twelve-hour marathon. So, I would assume that you had gotten the Croats and the Bosniacs to sign off maybe on the 31st and then run that by Milosevic on the 1st.

RO: Re-creating what specific objections different people made is very difficult.

R. JO: Did Milosevic raise the idea of secession?

RO: Well, he was very strong on this -- the right to have these relationships, parallel relationships. And it was quite obvious to us that he -- although he never said secession -- that he regarded that as a sort of slippery slope down which the Bosnian Serbs could slip into the hands of Serbia.

JO: What did he say to made you think that?

RO: His unwillingness to say that secession was not a possibility.

JO: Did you have a draft that said no secession?

RO: Yes, we tried to say, "But this doesn't mean secession." And he said, "Well, I don't know what the future will bring, but we need to have these special relationships." So he insisted on the language. Then Sacirbey insisted on the language which eventually got in there: "... consistent with the sovereignty and territorial integrity of Bosnia and Herzegovina." And we had a hell of a time selling that to Milosevic. "What does that mean? Blah, blah, blah." And we, in effect, said that we would consider that an effort to

get the Bosnians Serbs to secede, "an effort on **your** part would be inconsistent with this language." He didn't like that, but he finally accepted it. But that was the way that was all sort of compromised.

JO: Did you say this is essentially a pledge then, that you will not try to bring the Bosnian Serbs into Serbia?

RO: Yes. He has a wonderful line that he uses whenever you ask him to give up the right to do X. He says, "But that would be dishonorable; I would never do that, and therefore I certainly am not going to agree to give up the right to do it because, of course, I never would do it and that has a bad implication for me." So, he would not say, "I am giving up the right to press the Bosnian Serbs to secede." Instead, he said, "I would never do a thing like that; therefore, I will not say anything about it." It's a useful, if not entirely honest argument.

[Holbrooke enters room]

We're not talking about your arguments.

RH: Which?

JO: Useful, but not entirely honest.

RH: Okay. So we've got some things here. We've got the name of the hotel we stayed at; we've got the sequence of...

DC: Here's this book. Thanks.

RH: Interesting, isn't it?

DC: Yes it's great. I'll definitely call.

RH: You call these guys. That's only one chapter, see, that's chapter eight.

DC: Of how many?

RH: One of the things you've got to find out from them is how many (*inaudible*) have to be understood from within the context from what he was working in. And you will see right in the opening statement here, the third paragraph, third sentence.

RO: The 51/49 parameter.

RH: Oh, you know, it's the next-to-last paragraph: "Clearly much remains to be done." I wrote this myself. "The hardest work still lies ahead. The entities have yet to develop a design for a central connecting structure." That's what we did in New York.

(Holbrooke leaves room)

JO: We were talking about the Geneva Principles, the sequence. The reason I'm asking about Milosevic's interest, is that this is his first time to really speak out as head of the Serb delegation. And I think there may have been two, maybe three, crucial events in getting us to Dayton. One of them was him being named head of the delegation. He faces a lot of domestic pressure; he was accused of selling out Serbs and one of the more interesting issues would be whether he sort of gave up, or at least stopped espousing, the right of his Serb people of Bosnia to be independent of Bosnia or to join Serbia. That's why I was pushing to see what kinds of things he raised. More generally, I was interested in what else struck him as problematic in the first basic set of principles.

S. RO: Boy! I'd have to really try to refresh my memory. The one thing that I do remember was that he wanted to preserve the bridge between the Bosnian Serbs and Mother Serbia in that sort of pre-ordained language which was carried over from...

JO: The Contact Group Principles -- '94. And it was in the Federation Agreement for the Croats.

RO: He fought like a steer to keep that intact.

JO: We didn't try to eliminate it, right? It was difficult because it's in the Federation documents allowing, essentially, the Croats to have such a relationship?

RO: Yes, that was it. It was in the Federation documents. And he said, "Look, this has been established -- right straight along, for a long time! You can't take that away from me." We finally got him to modify it, but not by much. He was amazing, Milosevic as a decision-maker. He could take a page-and-a-half of stuff like this and go -- whoosh! -- "That's okay." Whoosh! "That first paragraph on the second page is totally unacceptable," and that would be it. He was a very quick, efficient reader of documents. And I can't think of anything else, off-hand, that bothered him except the secession relationship thing. There surely were other things but I can't remember what they were.

JO: Well, let's shift to something that we might have thought about but didn't, and, again, I'm trying to get a sense of what seem to be the parameters you guys were operating under -- what was considered normal and feasible.

T. RO: He did not want arbitration between the parties, I remember that. And we insisted on keeping it in until that nice little British lawyer in Dayton shot it out from under us.

JO: Did Milosevic refer to the Bedinter Commission? You know, he had been burned in some arbitration experiences in the OSCE.

RO: No. He just said, "I don't think it's necessary."

JO: Just to get a sense of what we thought was normal. I wonder how far we pushed a few ideas in considering what would be the principles. For example, the prohibition on war criminals participating in public life or a requirement for cooperation with the War Crimes Tribunal.

RO: He took that, as I remember it. The recollections of the other five people on the team may be different, but my recollection is that he took that fairly easily.

JO: At Dayton?

RO: Well, no, in these initial discussions.

JO: Well, I don't think there's anything...

RO: No, I guess we didn't say it.

JO: That's the first question, did we consider it as a basic principle?

RO: Where are the further-agreed basic principles?

DC: The New York principles?

RO: Yes. The New York Principles don't touch it either? Well, when it came up, my recollection is he was perfectly agreeable. Remember, one of his basic pitches was we ought to have elections right away. "All of this business of having the OSCE certification of whether the conditions are right, that's all baloney. We ought to do it right up front; get it done, and Karadzic will disappear." And as part of that, he was willing to say that Karadzic should be ineligible for public office and to run.

JO: No. He said he had to be **eligible**. Did he say that he should be ineligible or that he should be eligible but lose? "I guarantee you he will lose."

RO: That's a good point. I guess he was on that kick for a while.

JO: I remember he was with Bob Frasure in the earlier rounds.

RO: Yes, I think you're right. And he was saying, "Let him run, and he will be defeated and that will be the end of it, but we've got to do it fast."

V. JO: I'll offer a little of my background from my partial standpoint over the course of a few years working on war crimes matters, also Bosnia matters. There had always been some tension on the two sides. A number of people who were most interested in getting a peaceful settlement felt they would have to either ignore or trade away the Tribunal at some point or at least limit its jurisdiction in order to get a peace settlement. Many of us who are more advocates of the Tribunal felt that the Tribunal was a very useful tool in bringing about a settlement, that it was a primary way to remove or, at least, undercut the legitimacy of people who would be obstacles to peace. And there are some memos to that effect. Ambassador Albright wrote some of those, and we can trace through those. But it seems as though that point never had penetrated in the policy world until late August, when Holbrooke just announced on NPR one day that Karadzic and Mladic could not attend any of the negotiations. They'd be arrested and set aside. And that statement and then the Patriarch Agreement -- which I think followed immediately thereafter -- were, I think, important in moving us along toward Dayton. It suggested the opening of a new possibility, whereas a couple of months before we probably were not ready to propose that the Serbs had to cooperate with the Tribunal, or that indicted war criminals could not hold public office. Suddenly now the War Crimes Tribunal was in the center of possibilities, and I'm curious, how far down did that possibility permeate in the negotiations? Did we try to make that a centerpiece of what were doing

or not, and if so, why not? Was it discussed and we just decided not to do it? Or was it just so far outside the pale of possibility that we didn't put it forth?

RO: Yes. Well, I'm not sure at this point. I think Holbrooke, from the beginning, was committed to the proposition that those indicted couldn't serve. Well, the first question was whether we would deal with these people at all, and you're right, he flatly said he would not. Then there came that dramatic late afternoon statement on September 15 or 14 -- I've forgotten which -- when Milosevic announced that he had the Bosnian Serbs leaders in a villa 200 yards away and was going to bring them in. And we had this terrible decision whether to negotiate with them, which we hurdled and quickly surmounted.

JO: So you did meet with them?

RO: We did meet with them.

JO: The whole delegation?

RO: The whole delegation.

END OF INTERVIEW

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